



Governor Terry E. Branstad
Lt. Governor Kim Reynolds
San Wong, Director

Public Safety Advisory Board MINUTES OF REGULAR MEETING

**Jessie Parker Building
Knudsen Room
510 E. 12th Street
Des Moines, Iowa**

May 18, 2016

Present: Tom Walton, Chair; Jerry Bartruff; Kim Cheeks; Tom Ferguson; Andrea Muelhaupt for John Hodges; Mary Kovacevich; Michelle Leonard; Dale Woolery for Steve Lukan; Sherri Soich; Kurt Swaim; Doug Wolfe

Ex-Officio: Hon. Romonda Belcher; Hon. Jeffrey Neary; Sen. Charles Schneider

Staff: Kile Beisner; Cheryl Davidson; Sarah Johnson; Julie Rinker; Lanette Watson

Others: Betty Andrews; Laura Book; Cathy Engel; Anna Hyatt-Crozier; Sheila Corsbie

I. Approval of Minutes— March 3, 2016

Tom Walton, Chair, called the meeting to order at 12:42 pm. A quorum was present. Sherri Soich moved to approve the minutes from the March meeting, seconded by Dale Woolery. The motion was unanimously approved.

II. Issues from Governor's Working Group

Kile Beisner reviewed issues originally brought before the Governor's Working Group on Criminal Justice Policy Reform prior to its selection of four recommendations in its November 2015 report. At the March PSAB meeting, the Council requested that staff research the issues relevant to criminal and juvenile justice and report back at this meeting. Issues were summarized in a handout and categorized according to oversight by this Board, the Criminal & Juvenile Justice Planning Advisory Council, and the Sex Offender Research Council.

Ten issues were brought before this Board to prioritize for further study, three of which were already studied and two were enacted this year (Robbery Mandatory Minimums;; and Kidnapping Laws).

Cheryl Davidson presented information regarding the remaining seven issues which were discussed and prioritized as shown below. There was consensus to only identify the top three issues due to the availability of staff time.

1. *Power/Crack Cocaine Penalties – Eliminate sentencing disparities*—There was considerable discussion regarding how this issue was voted upon in 2010. Betty Andrews, NAACP, voiced concern regarding the vote at that time. It was

explained that there was disagreement amongst members in raising/lowering the quantities of these drugs. However, there was consensus to recommend the equalization of penalties which was forwarded to the legislature.

The Board agreed to further prioritize this issue by updating research to include new data; drug quantity comparisons; dosing/effects; and the impact on disparity and the prison population.

2. *Fund prison alternatives for low-level drug offenders*—while there was consensus that drug courts should be expanded to more areas, the challenge lies in funding for the courts. It was noted that other programs have better outcomes for African-Americans than do drug courts. Keeping families intact was another positive outcome from the use of drug courts.
3. *Driver's License Suspensions*—this item was brought forth by Tom Ferguson. He noted the unintended consequences to individuals whose licenses are being revoked/suspended for non-criminal reasons. He suggested information include the ways that licenses are suspended/barred; the impact on race/ethnicity, employment, individuals, and society; unpaid court costs/fines; etc.

Michelle Leonard moved to approve the above priorities for further research based on available resources, seconded by Ferguson. The motion was unanimously approved.

The remaining topics and discussion highlights are noted below:

- *Utilizing a validated risk assessment for drug traffickers as part of all presentence investigations*—Lettie Prell will present information on risk assessments at a future meeting.
- *Eliminate mandatory minimum sentences for low-level drug offenses*—this will be tracked in the Legislation Monitoring Report
- *Eliminate the sentence enhancement for subsequent drug offense*
- *Change low-level drug threshold charged as 'intent to deliver' to 'possession'*
- *Decriminalize marijuana possession*—would impact jail, prison, and probation populations. Due to changes in potency, it would be good to study the effects of THC amounts on addiction.

III. Issues for Next Meeting—September 21, 2016

Jerry Bartruff reviewed an opportunity to apply for a system-wide criminal justice reform grant. The reform project would be awarded to five states. Information regarding an upcoming summit was provided.

IV. Adjournment

Ferguson moved to adjourn, seconded by Doug Wolfe. The meeting adjourned at 2:36 p.m.

Respectfully submitted,

Julie Rinker, Administrative Secretary,
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights